

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MICHAEL A. BURNHART,  
Plaintiff,

v.

DEPARTMENT OF CORRECTION ELDON  
VAIL, *et al*,  
Defendants.

Case No. C08-5204RJB-KLS

ORDER GRANTING  
PLAINTIFF'S MOTION TO  
EXTEND TIME FOR FILING  
AMENDED COMPLAINT


This matter has been referred to Magistrate Judge Karen L. Strombom pursuant to 28 U.S.C. § 636(b)(1), Local Magistrates Rules MJR 3 and 4, and Federal Rule of Civil Procedure ("Fed. R. Civ. P.") 72. The case is before the Court on plaintiff's filing of a motion to extend time for filing an amended complaint (Dkt. #6) in response to the Court's order to show cause directing him to file an amended complaint (Dkt. #5). After reviewing plaintiff's motion and the balance of the record, the Court hereby finds and orders as follows:

On April 8, 2008, the Court issued an order finding plaintiff's original complaint (Dkt. #4) to be deficient, and directing plaintiff to file by no later than May 8, 2008, an amended complaint curing, if possible, those deficiencies, or show cause why this matter should not be dismissed. On May 2, 2008, plaintiff filed his motion requesting an extension of time until July 25, 2008, in which to respond to the Court's order to show cause, stating that he did not receive a copy of that order until April 28, 2008, and thus there "is no possible way" to he could file a timely response.

1 The Court finds plaintiff's request for an extension of time to not be unreasonable. However,  
2 given that plaintiff now has a copy of the Court's order to show cause, and that he has been in possession  
3 thereof for a period of two weeks already, the Court finds a 30-day extension of time to be sufficient here.  
4 Accordingly, plaintiff's motion to extend time (Dkt. #6) to respond to the order to show cause hereby is  
5 GRANTED, to the extent that plaintiff shall respond to the order to show cause as directed therein by **no**  
6 **later than June 12, 2008.**

7 The Clerk is directed to send a copy of this Order to plaintiff.

8 DATED this 13th day of May, 2008.

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12 Karen L. Strombom  
13 United States Magistrate Judge  
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